Supervisor's Report on Use of Force
912-00120-4125-145

Force Applied

Significant / Control Holds / Possible right wrist fracture

Incident Details

On March 29, 2012, at approximately 1430 hours, Deputy Antoinette Wilson was assigned as the bailiff in Department 201 at Eastlake Juvenile Court during a hearing to determine whether Subject [redacted] was to remain in custody. Commissioner Robert Totten rendered his decision to retain custody of the minor and ordered her placed at a youth detention facility. Deputy Wilson then instructed Subject [redacted] to place her hands behind her back for handcuffing. However, she refused, telling Deputy Wilson that she wanted to give her mother, who was seated in the audience nearby, a hug. Deputy Wilson told her that she could not hug her mother because physical contact between in-custody defendants and spectators is prohibited and again ordered [redacted] to place her hands behind her back. Subject [redacted] ignored the orders and extended her right arm in front of her body in an effort to hug her mother.

Deputy Wilson grasped Subject [redacted] right forearm with her (Wilson's) right hand and placed it behind her ([redacted]) back in an effort to handcuff her. SJ/[redacted] tensed the muscles in her arms and upper torso and placed her left arm against her chest to resist being handcuffed. SJ/[redacted] also flexed her right wrist and moved her upper body forward and from side-to-side in an effort to free herself from Wilson's control hold. In doing so, SJ/[redacted] struck Deputy Wilson in the chest with her shoulders and Wilson narrowly avoided being struck in the face by [redacted] head.

The court's Aiphone was activated by [redacted], a Senior Judicial Assistant (Witness 1), and a call for assistance was initiated by Bonus Deputy Salvador Villareal. Deputies Norman Anpree and Yvette Reyes responded to the request from their assigned positions in lock-up. They immediately saw that Deputy Wilson was grasping Subject [redacted] right forearm, while ordering her to place her hands behind her back and to stop resisting. Subject [redacted] responded, "Fuck this shit! Let go of me!" Deputy Anpree grasped Subject [redacted] left forearm and placed it behind her back for handcuffing. Deputies Anpree and Lopez handcuffed Subject [redacted] left wrist, then her right wrist, after Deputies Wilson and Reyes collectively forced her [redacted] right hand behind her back. Deputy Lopez held Subject [redacted] left forearm as Deputy Anpree applied the handcuff to her left wrist. During this process, the deputies repeatedly ordered the minor to cease her resistance, but she refused to comply.

Subject [redacted] was escorted toward the door by Deputies Anpree and Reyes. As she reached the threshold to the door, Subject [redacted] dropped to a kneeling position and was able to free her left wrist from the handcuff. Deputy Anpree immediately grasped her

left forearm and Deputy Villarreal grasped her left wrist, placing it behind her back for handcuffing. Deputy Anpree controlled the minor's left wrist, while Deputy Villareal applied a second set of handcuffs that were given to him by Deputy Lopez. During this time, Subject [redacted] continued to scream profanities at the deputies and defiantly refused to heed their orders.

Deputy Anpree placed his right hand in Subject [redacted] left armpit and Deputy Reyes placed her left hand in [redacted] right armpit and they simultaneously lifted her to her feet. Deputy R. Garcia grasped [redacted] left biceps and elbow, while Deputy Reyes grasped her right biceps and elbow and they escorted her out of the courtroom.

Subject [redacted] continuously shrugged her shoulders and contorted her body from side-to-side to resist being escorted by the deputies through the corridor back to Eastlake Juvenile Hall. Deputies Garcia and Reyes maintained their grasp despite [redacted] efforts, and she was seated inside a cell without further incident

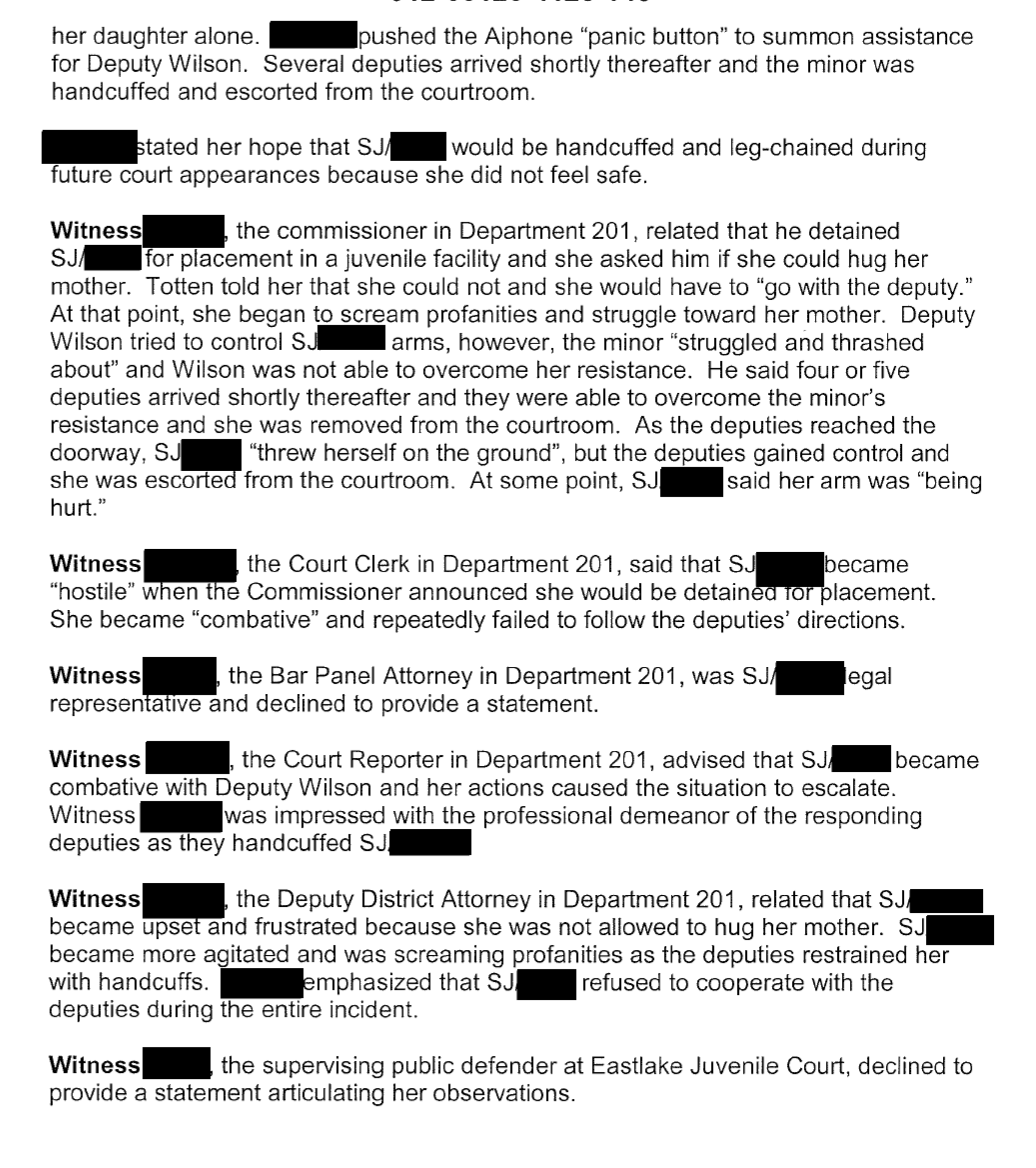
Reported Use of Force by Involved Employee(s)

All involved deputies completed written reports of their observations and actions which were consistent with their verbal notifications to me of their observations or uses of force.

Witness Interview(s)

Witness [redacted] was assigned as a Judicial Assistant in Department 201 and was seated to the right of the court clerk, Witness [redacted], when this incident occurred. [redacted] advised that [redacted] case was concluded by Commissioner [redacted] and the bailiff, Deputy Wilson, began to escort her out of the courtroom. She said [redacted] resisted the deputy's efforts by "kicking and screaming." Soon thereafter, three or four other deputies arrived and tried to assist Deputy Wilson with controlling and handcuffing SJ/[redacted] However, she continued to try to "wrestle" herself free in an effort to "get close to her mother." The deputies were finally able to overcome SJ/[redacted] resistance after several minutes and handcuff her. As the minor was being escorted from the courtroom, she continued to scream profanities at the deputies and resist their efforts. Witness [redacted] recalled the deputies continuously telling SJ/[redacted] to "calm down" and "relax" as they escorted her from the courtroom.

Witness [redacted] was assigned as a Probation Officer in Department 201 when the commissioner announced his decision. She said SJ/[redacted] failed to follow the bailiff's instruction to walk out of the courtroom with her. SJ/[redacted] tried to hug her mother, who was seated nearby, and the bailiff intervened. The minor was screaming profanities and was belligerent with the bailiff as she (Deputy Wilson) tried to control SJ/[redacted] arms. [redacted] heard the minor's mother screaming in Spanish for the deputy to leave



her daughter alone. [redacted] pushed the Aiphone "panic button" to summon assistance for Deputy Wilson. Several deputies arrived shortly thereafter and the minor was handcuffed and escorted from the courtroom.

[redacted] stated her hope that SJ/[redacted] would be handcuffed and leg-chained during future court appearances because she did not feel safe.

Witness [redacted], the commissioner in Department 201, related that he detained SJ/[redacted] for placement in a juvenile facility and she asked him if she could hug her mother. Totten told her that she could not and she would have to "go with the deputy." At that point, she began to scream profanities and struggle toward her mother. Deputy Wilson tried to control SJ[redacted] arms, however, the minor "struggled and thrashed about" and Wilson was not able to overcome her resistance. He said four or five deputies arrived shortly thereafter and they were able to overcome the minor's resistance and she was removed from the courtroom. As the deputies reached the doorway, SJ[redacted] "threw herself on the ground", but the deputies gained control and she was escorted from the courtroom. At some point, SJ[redacted] said her arm was "being hurt."

Witness [redacted], the Court Clerk in Department 201, said that SJ[redacted] became "hostile" when the Commissioner announced she would be detained for placement. She became "combative" and repeatedly failed to follow the deputies' directions.

Witness [redacted], the Bar Panel Attorney in Department 201, was SJ/[redacted] legal representative and declined to provide a statement.

Witness [redacted], the Court Reporter in Department 201, advised that SJ/[redacted] became combative with Deputy Wilson and her actions caused the situation to escalate. Witness [redacted] was impressed with the professional demeanor of the responding deputies as they handcuffed SJ[redacted]

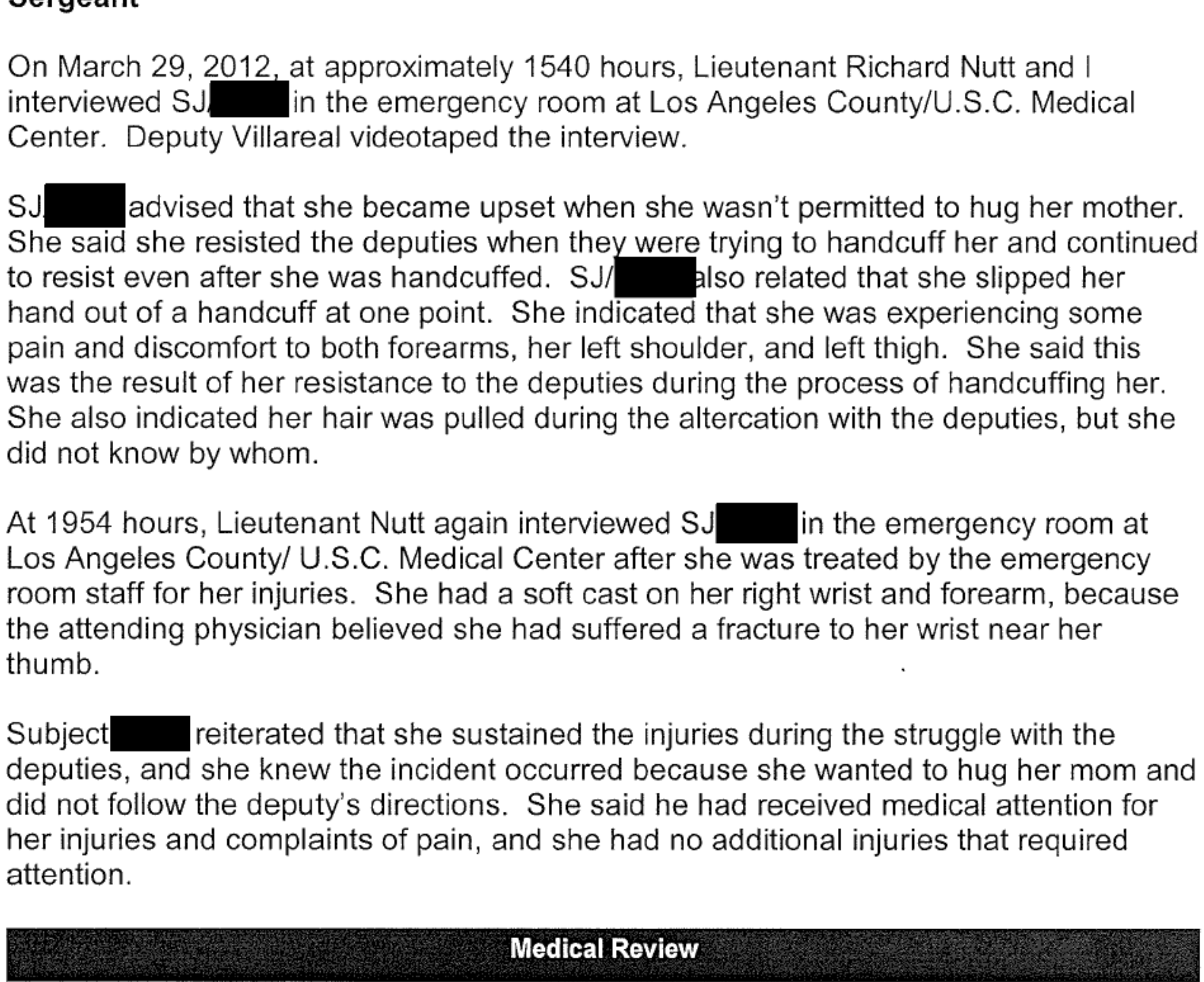
Witness [redacted], the Deputy District Attorney in Department 201, related that SJ/[redacted] became upset and frustrated because she was not allowed to hug her mother. SJ[redacted] became more agitated and was screaming profanities as the deputies restrained her with handcuffs. [redacted] emphasized that SJ/[redacted] refused to cooperate with the deputies during the entire incident.

Witness [redacted], the supervising public defender at Eastlake Juvenile Court, declined to provide a statement articulating her observations.

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Suspect Interview(s)

Suspect Interview(s) Conducted By: ☒ Watch Commander ☒ Supervising Sergeant



On March 29, 2012, at approximately 1540 hours, Lieutenant Richard Nutt and I interviewed SJ/[redacted] in the emergency room at Los Angeles County/U.S.C. Medical Center. Deputy Villareal videotaped the interview.

SJ/[redacted] advised that she became upset when she wasn't permitted to hug her mother. She said she resisted the deputies when they were trying to handcuff her and continued to resist even after she was handcuffed. SJ/[redacted] also related that she slipped her hand out of a handcuff at one point. She indicated that she was experiencing some pain and discomfort to both forearms, her left shoulder, and left thigh. She said this was the result of her resistance to the deputies during the process of handcuffing her. She also indicated her hair was pulled during the altercation with the deputies, but she did not know by whom.

At 1954 hours, Lieutenant Nutt again interviewed SJ/[redacted] in the emergency room at Los Angeles County/ U.S.C. Medical Center after she was treated by the emergency room staff for her injuries. She had a soft cast on her right wrist and forearm, because the attending physician believed she had suffered a fracture to her wrist near her thumb.

Subject [redacted] reiterated that she sustained the injuries during the struggle with the deputies, and she knew the incident occurred because she wanted to hug her mom and did not follow the deputy's directions. She said he had received medical attention for her injuries and complaints of pain, and she had no additional injuries that required attention.

Medical Review

SJ/[redacted] complained of pain and discomfort to her right wrist soon after this incident. Los Angeles County Fire/Paramedics from Engine 1, under the direction of Captain Ponce, treated SJ/[redacted] for her injuries and stabilized her for transport to the local hospital. She was subsequently transported via ambulance to Los Angeles County/ U.S.C. Medical Center, where she was treated by emergency room staff physician, Dr. Peabody.

Dr. Peabody diagnosed SJ/[redacted] injuries as a suspected right wrist fracture, and contusions on her left hand and thigh. He indicated that the x-rays were negative, but the symptoms she experienced were consistent with "occult scaphoid (sic) fracture"

(also known as a skateboarder's fracture). Dr. Peabody said initial x-rays for this type of fracture are often negative, so he splinted her wrist out of an abundance of caution pending further examination.

Dr. Peabody said the injuries [redacted] reported were consistent with the application of force reported by the deputies.

I, Sergeant Williams, contacted Probation Officer [redacted] of Eastlake Court, a few days after this incident and he confirmed that SJ[redacted] had sustained a fracture to her right wrist. He was unable to provide any further information on the injury or treatment.

Training & Tactical Review

X Debriefing held to discuss training and tactical issues.

A debriefing was conducted subsequent to the incident.

The force used to control and restrain a hostile and combative juvenile suspect by the initial deputy (Wilson) and each responding deputy was evaluated individually and was determined to be objectively reasonable and well within Department policy and, therefore, fully justified. I based this determination on the deputies' statements, their corresponding criminal reports articulating their individual actions, and the corroborating statements of the civilian witnesses who were present during this incident. Additionally, the subject's own statements confirmed that the deputies' actions were warranted.

The deputies utilized a great deal of restraint by limiting their response to the subject's erratic behavior to the use of control holds. At one point during the initial confrontation with Deputy Wilson, the subject's actions would be classified as "assaultive" pursuant to the Department's Use of Force Options Chart. Wilson would have been justified in utilizing oleoresin capsicum spray, an impact weapon, personal weapons or a Taser to overcome the violence initiated by the subject. However, she and the deputies who responded to her aid utilized restraint in overcoming the subject's resistance by using control holds. Several witnesses lauded the deputies' performance as "very professional."

One issue was identified that required discussion and training. Subject [redacted] was able to defeat at least one handcuff by wriggling her wrist free. In examining the subject's wrists during the interview, I noticed she had unusually small hands and thick wrists. I noted this fact and mentioned it during my videotaped interview of the subject. This issue was addressed at the debriefing by reminding the deputies of handcuffing techniques and ensuring that the devices were properly secured before escorting a

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prisoner. They were advised that each deputy receiving custody of a subjuect should ensure that the handcuffs are securely affixed.

In regards to the subject's injuries, I was unable to determine at what portion of the incident they occurred. I was also unable to determine if the injuries were a direct result of the application of control holds by one or more of the deputies or if they were sustained when she intentionally dropped to her knees as Deputies Reyes and Anpree were escorting her from the courtroom. This intentional action by the subject could have caused the thigh or wrist injuries she sustained, as she was unable to break her fall since she was handcuffed with both wrists behind her back.

I recommend no further action regarding this incident.

Watch Commander's Review

I have reviewed Sergeant Williams' inquiry into this incident and concur with his findings and debriefing. I recommend no further action regarding this incident.

Case Status

This case was referred to the Jail Investigations Unit. As of May 7, 2012, this case has not been presented to the Los Angeles County District Attorney's Office for case filing consideration.



Attachments:

(X) SH-ad- 49
(X) Supplemental Reports (5)
(X) In-Service
(X) Medical Treatment Forms
(X) IAB Notification Form
(X) Videotape of interviews
(X) Booking slip